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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,977	09/27/2001	Sriram Krishnan	JW-EMC-012	2951

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EMC CORPORATION  
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EXAMINER
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BATURAY, ALICIA

ART UNIT	PAPER NUMBER
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2155

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

09/964,977

Applicant(s)

KRISHNAN ET AL.

Examiner

Alicia Baturay

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 18-23, 38-43 and 58-63 is/are rejected.
- 7) ☒ Claim(s) 4-17, 24-37 and 44-57 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is in response to the amendment filed 15 November 2006.
2. Claims 1-63 are pending in this Office Action.

### ***Response to Amendment***

3. Applicant's amendments and arguments with respect to claims 1-63 filed on 15 November 2006 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 19, 20-22, 39-42, and 59-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johansson et al. (U.S. 2002/0044549) and further in view of Novakovich et al. (U.S. 5,289,176).

Johansson teaches the invention substantially as claimed including if the paging Bluetooth unit already was the master of a piconet, the paged Bluetooth unit has now joined this piconet as a new slave unit. Otherwise, the two Bluetooth units have just formed a new

piconet with the paging Bluetooth unit as the master unit. Thus, the Bluetooth unit initiating an INQUIRY procedure will also be the master of any piconet that is formed as a result of a subsequent PAGE procedure (see paragraph 18).

6. With respect to claim 1, Johansson teaches a computer network having a plurality of nodes each of which has a DDB and one of which should be master node used to maintain contents of the DDB in each of the plurality of nodes consistent throughout the plurality in a manner to avoid a single point of failure, the plurality of nodes including a first master node and a second master node, a system for resolving conflict in the network between the first master node and the second master node comprising: means for establishing a standard for comparison between the first master node and the second master node (Johansson, page 8, paragraph 92); means for comparing the first master node against the second master node in accordance with the standard to obtain comparison results (Johansson, page 8, paragraph 93); and, means for selecting the master node from the group of nodes consisting of the first master node and the second master node based on the comparison results (Johansson, page 8, paragraph 94 and page 2, paragraph 18).

Johansson does not explicitly teach resolving a conflict between two master nodes.

However, Novakovich teaches to resolve the conflict between the first master node and the second master node (Novakovich, col. 2, lines 20-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johansson in view of Novakovich in order to enable resolution of conflict between two master nodes. One would be motivated to do so in order to avoid

communication protocol errors where a plurality of master nodes are present and in particular to resolve multi-master nodes on a communication system.

7. With respect to claim 2, Johansson teaches the invention described in claim 1, including a computer network having a plurality of nodes each of which has a DDB and one of which should be master node used to maintain contents of the DDB in each of the plurality of nodes consistent throughout the plurality in a manner to avoid a single point of failure, the plurality of nodes including a first master node and a second master node, a system for resolving conflict in the network between the first master node and the second master node comprising: means for establishing a standard for comparison between the first master node and the second master node (Johansson, page 8, paragraph 92); means for comparing the first master node against the second master node in accordance with the standard to obtain comparison results (Johansson, page 8, paragraph 93); and, means for selecting the master node from the group of nodes consisting of the first master node and the second master node based on the comparison results (Johansson, page 8, paragraph 94 and page 2, paragraph 18) and the system further comprising: means for demoting the remaining node in the group to non-master node status as participating node in the plurality of nodes (Johansson, page 8, paragraph 94 and page 2, paragraph 18).

Johansson does not explicitly teach resolving a conflict between two master nodes.

However, Novakovich teaches to resolve the conflict between the first master node and the second master node (Novakovich, col. 2, lines 20-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johansson in view of Novakovich in order to enable resolution of conflict between two master nodes. One would be motivated to do so in order to avoid communication protocol errors where a plurality of master nodes are present and in particular to resolve multi-master nodes on a communication system.

8. With respect to claim 19, Johansson teaches a computer network having a plurality of nodes only one of which should be master node for managing the plurality of nodes in a manner to avoid a single point of failure, the plurality of nodes including a first master node and a second master node, a system for resolving conflict in the network between the first master node and the second master node comprising: means for choosing between the first master node and the second master node to obtain the master node (Johansson, page 8, paragraph 94 and page 2, paragraph 18).

Johansson does not explicitly teach resolving a conflict between two master nodes.

However, Novakovich teaches to resolve the conflict between the first master node and the second master node (Novakovich, col. 2, lines 20-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johansson in view of Novakovich in order to enable resolution of conflict between two master nodes. One would be motivated to do so in order to avoid communication protocol errors where a plurality of master nodes are present and in particular to resolve multi-master nodes on a communication system.

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9. Claims 20-22, 39-42 and 59-63 do not teach or define any new limitations above claims 1, 2 and 19 and therefore are rejected for similar reasons.
10. Claims 3, 23 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johansson in view of Novakovich and further in view of Quoc et al. (U.S. 6,092,214).
11. With respect to claim 3, Johansson teaches the invention described in claim 1, including a computer network having a plurality of nodes each of which has a DDB and one of which should be master node used to maintain contents of the DDB in each of the plurality of nodes consistent throughout the plurality in a manner to avoid a single point of failure, the plurality of nodes including a first master node and a second master node, a system for resolving conflict in the network between the first master node and the second master node comprising: means for establishing a standard for comparison between the first master node and the second master node (Johansson, page 8, paragraph 92); means for comparing the first master node against the second master node in accordance with the standard to obtain comparison results (Johansson, page 8, paragraph 93); and, means for selecting the master node from the group of nodes consisting of the first master node and the second master node based on the comparison results (Johansson, page 8, paragraph 94 and page 2, paragraph 18) and means for establishing a standard for comparison between the first master node and the second master node (Johansson, page 8, paragraph 92).

Johansson does not explicitly teach resolving a conflict between two master nodes.

However, Novakovich teaches to resolve the conflict between the first master node and the second master node (Novakovich, col. 2, lines 20-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johansson in view of Novakovich in order to enable resolution of conflict between two master nodes. One would be motivated to do so in order to avoid communication protocol errors where a plurality of master nodes are present and in particular to resolve multi-master nodes on a communication system.

The combination of Johansson and Novakovich does not explicitly teach use of a temporal standard.

However, Quoc teaches the system where the comparison standard establishing means establishes a temporal standard (Quoc, col. 7, lines 19-21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Johansson and Novakovich in view of Quoc in order to enable the use of a temporal standard. One would be motivated to do so in order to allow the nodes to synchronize after coming out of the initialization process.

12. Claims 23 and 43 do not teach or define any new limitations above claim 3 and therefore are rejected for similar reasons.

13. Claims 18, 38 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johansson in view of Novakovich and further in view of Logan et al. (U.S. 5,968,121).



14. With respect to claim 18, Johansson teaches the invention described in claim 1, including a computer network having a plurality of nodes each of which has a DDB and one of which should be master node used to maintain contents of the DDB in each of the plurality of nodes consistent throughout the plurality in a manner to avoid a single point of failure, the plurality of nodes including a first master node and a second master node, a system for resolving conflict in the network between the first master node and the second master node comprising: means for establishing a standard for comparison between the first master node and the second master node (Johansson, page 8, paragraph 92); means for comparing the first master node against the second master node in accordance with the standard to obtain comparison results (Johansson, page 8, paragraph 93); and, means for selecting the master node from the group of nodes consisting of the first master node and the second master node based on the comparison results (Johansson, page 8, paragraph 94 and page 2, paragraph 18) and means for selecting the master node from the group of nodes consisting of the first master node and the second master node based on the comparison results (Johansson, page 8, paragraph 94 and page 2, paragraph 18).

Johansson does not explicitly teach resolving a conflict between two master nodes.

However, Novakovich teaches to resolve the conflict between the first master node and the second master node (Novakovich, col. 2, lines 20-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johansson in view of Novakovich in order to enable resolution of conflict between two master nodes. One would be motivated to do so in order to avoid

communication protocol errors where a plurality of master nodes are present and in particular to resolve multi-master nodes on a communication system.

The combination of Johansson and Novakovich does not explicitly teach the nodes existing in differing time zones.

However, Logan teaches the system where the network is globally-dispersed and at least some of the plurality of nodes are located in different times zones from other of the plurality of nodes (Logan, Fig. 2; col. 6, lines 32-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Johansson and Novakovich in view of Logan in order to allow for nodes existing in differing time zones. One would be motivated to do so in order to enable nodes at disparate locations to communicate.

15. Claims 38 and 58 do not teach or define any new limitations above claim 18 and therefore are rejected for similar reasons.

*Allowable Subject Matter*

16. The following is an examiner's statement of reasons for allowance: Claims 4-17, 24-37 and 44-57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The examiner has found that the prior art of record does not teach, suggest, or render obvious the specific combination of a system where means for determining which one of the first or second master node was most recently selected to obtain a most recently selected master node (major difference in the claims not found in the prior art) if the first and second master node were not selected simultaneously as set forth in the specification and recited in dependent claims 4, 24 and 44.

17. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

18. Applicant's arguments filed 15 November 2006 have been fully considered, but they are not persuasive for the reasons set forth below.

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

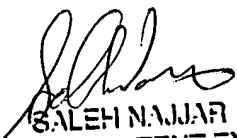
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay  
February 15, 2007

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER